

May 22, 2006

**City of Milton-Freewater
City Council Minutes**

The Council of the City of Milton-Freewater met in regular session on Monday, May 22, 2006 at 7:00 p.m. in the Albee Room of the Library.

The following members were present: Mayor Key, Councilors Kelley, Woods, Irving and Lyon. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Electric Superintendent Mike Charlo and Finance Director Dave Richmond. Citizens present were Ed Chesnut, Merl Sherman and Larry Givens. Councilor Humbert and Youth Representative Potts were both absent.

Press member present was Melanie Hall from the Valley Herald.

CONSENT CALENDAR ITEMS: The consent calendar consisted of minutes from the May 8, 2006 council meeting. Councilor Kelley motioned to adopt the consent calendar items. Councilor Woods seconded the motion which passed unanimously.

NEW BUSINESS

BID AWARD MILTON SUBSTATION STEEL STRUCTURE. Electric Superintendent Mike Charlo stated this issue is the request for a bid award to Hamby Young of Aurora, Ohio. This is the same company that provided the substation steel for the distribution rack that was built along with the large power transformer that staff recently ordered. The next step in the renovation is the purchase of a small amount of structural steel, switches, insulators, bus bar, etc. Advertising was done for this bid along with mailing to those listed on a bidders list that had proposed previously. Only one bid was received from Hamby Young and their bid was within \$743 of the engineer's estimate. This material will probably be here by August. Currently, electric crews are building forms in preparation for the arrival of this material.

Councilor Kelley motioned to award the bid to Hamby Young in the amount of \$60,743.00 for the Milton Substation steel structures and electrical equipment. Councilor Irving seconded the motion which passed unanimously.

RESOLUTION NO. 2017 AUTHORIZING WRITE-OFF OF UNCOLLECTIBLE DEBT.

Finance Director Dave Richmond stated that annually, staff writes off accounts deemed uncollectible. All feasible attempts to collect these accounts have been pursued. The accounts have either been at the Collection Bureau of Walla Walla for more than a year as of April 2006, with no commitment to pay, or for balances owing less than \$20. Previously the Council instituted doubling the highest bill if someone has been on the shut-off list twice, and also instituted for first-time customers, a deposit of an average of the three highest statements. These deposits have helped reduce the total amount of write-offs, but this year's amount includes an unusually high number of bankruptcies. The total write-off is in the amount of \$30,550.66. The Collection Bureau does collect some of these accounts later, so it is not a total write-off.

Councilor Lyon stated there were several on the list with city addresses and asked if these individuals were still receiving utility benefits. Mr. Richmond said they have city addresses but their names are not listed on the utility service.

Councilor Irving asked if it was a possibility that the new law on the bankruptcies had an impact on the increased number of bankruptcies and if it was possible to see a reversal of excess bankruptcies. Mr. Richmond said he was hoping that to be the case.

Councilor Woods asked what percent of write-offs were recovered. Mr. Richmond stated that these percents were predicated upon the year of the write-off and the older the write-off, the less likelihood of its recovery.

Councilor Kelley motioned to adopt Resolution No. 2017 Authorizing the Finance Department to write off uncollectible accounts. Councilor Lyon seconded the motion which passed unanimously.

Mr. Richmond thanked Council and stated that many are not pleased with the deposit program, but that his staff has worked hard to be consistent with all citizens. Mr. Richmond said that as a result, council members may receive individual complaints. City Manager Delphine Palmer recognized the efforts of Mr. Richmond and his staff as the write-offs are less than half of the write-offs just a few years prior. This is due to the consistency of Mr. Richmond and his staff, and their diligent work with collections. Mr. Richmond is doing an excellent job. Councilor Woods stated that some may think our system not good, but as long as it is fair and consistent, it is okay.

RESOLUTION NO. 2018 DESIGNATING WALKING TRAIL AS AN OUTDOOR RECREATIONAL FACILITY. Assistant City Manager Linda Hall stated that if this looked familiar, it is because it is much the same as when the City opened the skatepark including the large bowl and staff had this analyzed by the City's risk management consultant through City-County Insurance Services. There is apparently some leniency in the law that helps litigation against municipalities that has been formulated into state statute that states if the governing body designates a recreational area as an "Outdoor" recreational area, it briefly says that if you play in this area and get hurt, it is not due to the provisions by the City. This resolution is expanded to include all walking trails within the City so as not to duplicate resolutions when another walking trail is developed.

Councilor Woods asked if the same could be done for sidewalks and other areas where citizens walk. Ms. Hall stated that the City has by passing specific codes for sidewalks.

Merl Sherman, 711 Pierce, asked if the gate at the bottom of the walking trail could be open. Ms. Hall said it was closed to discourage skates and bikes, but that staff would research the possibilities.

Councilor Kelley motioned to adopt Resolution No. 2018 designating all walking trails within the City for use as an outdoor recreational area consistent with other areas generally regarded as outdoor recreational areas under ORS 105.682. Councilor Woods seconded the motion which passed unanimously.

Mayor Key announced this was the opportunity for citizens to approach the council with issues not on this agenda.

Larry Givens, County Commissioner candidate, addressed the Council saying he appreciated the previous campaign with City Councilor Keith Woods. Mr. Givens stated he will go on to the general election so will not have a break from the campaign trail. Mr. Givens wanted to stress to the City Council he was very impressed that the meeting was opened with an invocation. This is the only City Council that Mr. Givens has attended that has done this and wanted the Council to know how much he appreciated this act.

MANAGER'S REPORT

City Manager Delphine Palmer warned about invoices to pay for subscriptions after they have been cancelled. Ms. Palmer said this has happened twice to her, that the letters threaten notifications that affect credit status will be done if not paid, however, Ms. Palmer called and explained she had cancelled the subscriptions and the only comment was it was their mistake and the amount was written off.

Ms. Palmer announced the opening of Milton-Freewater Sew and Vac, that there was a flyer in the Walla Walla Union Bulletin with their information.

Last Wednesday, Ms. Palmer announced she had gone to the Port of Umatilla and spoke to their commissioners explaining the City had an approved water management and conservation plan in place, which plan prevents anyone from drilling a well within a five-mile radius around the City's wells. With that conservation plan in place, there was a well the City wanted to obtain so as to seal it to protect it from another purchase and also protect the basaltic well water from contamination. This well is on the Key property. Ms. Palmer asked the Port if the City could acquire the well by deed at no cost to the City. There was a lot of discussion with several questions, but ultimately, the Port commissioners unanimously decided to give the deed to the City at no cost. The casing will now be pulled and the well sealed to eliminate any chance for contamination.

Ms. Palmer said she was in contact with other city managers from around the state of Oregon, and one of their new concerns is the problem with anarchy groups. These groups are actually doing damage. In Pendleton, a group damaged some of the park facilities, but groups are not limited to City facilities as they will do damage to City, County, State and Federal facilities. They state clearly they are against the United States Government. This campaign has expanded to such an extent that there is special training for police officers. Ms. Palmer said she spoke with Police Chief Mike Gallaher and he trying to get a consultant to come into our department so our officers are prepared.

There is a major problem with our community swimming pool having a major leak in the drain pipe that was under the pool itself. To repair the leak, staff has to break through the pool, fix the pipe, replace the cement and then have it sprayed with gummite. Staff took pictures to show the Council their work. With all that needs to be done, staff is still confident the pool will be open for Memorial Day weekend.

The Industrial Site certification process is nearing completion for the western portion of the Key property on the South Hill. Property will be shovel ready for industrial use. Once it becomes shovel ready, meaning the property will be listed on the State's register, the State

will then advertise on this registry. This is really exciting as we believe the City will begin to see new industry move to our City.

There are several developers that have purchased property for the purpose of developing upscale homes. One development is about forty homes, another about twenty homes, and another about thirty homes. As these come forward, the information will be brought to the Council.

COUNCIL ANNOUNCEMENTS

Councilor Kelley said she had an editorial from the Eastern Oregonian (EO) that discusses “Potential Rurbia Explosion” The article discusses places people can live where they can play, not work. Councilor Kelley further stated that meetings need to take place to discuss land use zoning. She said too that she was disappointed that there were mention of several communities, including Walla Walla and several in Umatilla County, but there was not one mention of Milton-Freewater.

Councilor Kelley congratulated Councilor Lyon on his election result, which is going to the general election unopposed. She further congratulated Councilor Irving and stated she was glad that Councilor Keith Woods would continue on our City Council. She also congratulated Candidate Ed Chesnut in taking on a current councilor and going on to the general election. Councilor Kelley expressed how impressed she was that the election campaigns were conducted without any negative exposure.

Councilor Irving thanked Mr. Larry Givens, Umatilla County Commissioner candidate and stated that he had spoken with Mr. Givens about land-use planning. Councilor Irving said that Mr. Givens supports this community and Councilor Irving hoped we would support him.

Councilor Lyon announced he had a complaint about kids on the walking trail building dirt mounds to create bicycle trails and felt our police chief should be aware of this problem. Councilor Woods asked if there was an ordinance in place restricting this type of activity. Council discussed possible solutions for the gate at the bottom of the walking trail.

Councilor Woods said he had attended a Watershed meeting discussing take issues with endangered species. Councilor Woods brought a packet for Council to review.

Councilor Woods thanked Umatilla County Commissioner candidate Larry Givens for a good campaign. Councilor Woods said he learned a lot and had a fun time.

There being no further business, the meeting was adjourned at 7:32 p.m.

Lewis S. Key, Mayor